

REMARKS

Claims 1-27 are all the claims pending in the application.

Formal matters

Applicant thanks the Examiner for acknowledging Applicant's claim to foreign priority under 35 U.S.C. § 119 and receipt of a certified copy of the priority document. Applicant also thanks the Examiner for reviewing and initialing the documents in the Information Disclosure Statement submitted on March 19, 2004.

Applicant notes that the Examiner has not indicated the status of the drawings filed on March 19, 2004. Applicant respectfully requests the Examiner to accept the drawings as filed.

Claim rejections -- 35 U.S.C. § 102

Claims 1-3, 10-12, and 19-21 stand rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Patent Application Publication No. 2003/0153283 to Kuwazoe. Applicant respectfully traverses this rejection.

For example, claim 1 recites the limitation of a control means for executing processing based on a program that has been stored in the mobile phone to thereby implement a plurality of functions. The Examiner maintains that this limitation is met in the abstract, and paragraphs 13 & 33 of Kuwazoe. However, Applicant respectfully disagrees with the Examiner's position.

Kuwazoe is directed at a mobile phone having both main and sub displays, and addresses the problem caused when a user wishes to frequently access a certain menu item on his or her mobile phone. In the conventional setup, with a mobile phone having only one display, the user

must manipulate through a series of hierarchical menu items in order to finally reach the desired menu item. The user must perform this manipulation each time the user wishes to access the desired menu item. In order to solve this problem, Kuwazoe suggests a mobile phone having both main and sub displays. The sub display, in the system of Kuwazoe, serves to maintain a selected item from the menu, while the user scrolls through other menu items using the main display. Kuwazoe provides the example of a call charge monitor, wherein the sub display 33 maintains the charge amount of a call while the main display 21 displays other items. (see, e.g., Figs. 4A, 4B, 5A, and 5B). In this way, the user may keep track of his running call time and still access other items on the main display.

The claim requires executing processing based on a program stored in memory. The Examiner maintains that this feature is met by the memory for storing telephone book numbers, call record information, and the like. (paragraph 33). However, these items are only “various data” and thus do not correspond to the claimed program, i.e. they cannot be executed to provide processing.

Moreover, the claim requires executing processing ... to thereby implement a plurality of functions. The Examiner maintains that this feature is met by the hierarchical information displayed in Kuwazoe (parag. 13). However, at paragraph 13, Kuwazoe merely discloses displaying on the sub display an information item among information items displayed on the main display device. At paragraph 33, Kuwazoe only discloses telephone book numbers and call record information and various other data which is stored. None of the disclosure cited by the Examiner corresponds to the plurality of functions, which are implemented by executing processing based on a program stored in the phone memory, as claimed.

Therefore, claim 1 is patentably distinguished over Kuwazoe for at least these reasons.

Claims 2-9 are patentable based on their dependencies.

Independent claims 10 and 19 recite similar limitations to those discussed above with respect to claim 1, and therefore, claims 10 and 19 are patentable for at least the same reasons discussed above with regard to the patentability of claim 1. The remaining claims are patentable based on their respective dependencies.

Furthermore, claim 2 recites the limitation that the control means exercises control to assign priorities to the plurality of functions. The Examiner maintains that this feature is taught by Kuwazoe at paragraphs 13 & 14, and 34-48. However, Applicant respectfully disagrees.

At paragraphs 13 and 14, Kuwazoe merely states that an information item with a high priority *for each user* is always displayed on the sub display device of the user's mobile phone. Paragraphs 34-48 provides a similar disclosure. For example, at paragraph 48, Kuwazoe states: "even if the priority on the information varies depending on the users". These disclosures only mean that a various users will have different tastes on which menu items they wish to maintain on display on the sub display. Neither does the hierarchical structure represent priority. A hierarchy is merely a way of organizing data items and does not impart any priority to the items. Thus, these lines do not disclose the controller assigning priorities to the plurality of functions, as claimed in claim 2. Claim 2 is thus patentable over Kuwazoe for this additional reason.

Claim 2 also recites the limitation that the control means exercises control to present displays from display content that has been processed by a function having the highest priority. The Examiner maintains that this feature is met by Kuwazoe at paragraphs 13 & 14, and 34-48.

Again, since the control means of Kuwazoe does not assign priorities to any functions, it is logically impossible for Kuwazoe to control display of content processed by a function having a highest priority, as required by claim 2. Claim 2 is thus patentable for this additional reason, and the remaining claims 3-9 are patentable based on their dependencies.

Claims 11 and 20 recite limitations similar to those present in claim 2, and therefore, claims 11 and 20 are patentable over Kuwazoe for at least the reasons presented above with regard to the patentability of claim 2. The remaining claims are patentable based on their dependencies.

Therefore, Applicant respectfully requests the Examiner to withdraw the rejection.

Claim rejections -- 35 U.S.C. § 103

Claims 4-9, 13-18, and 22-27 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Kuwazoe in view of U.S. Patent Application Publication No. 2002/0045467 to Hama. Applicant respectfully traverses this rejection.

Claims 4-9, 13-18 and 22-27 each depend from one of claims 1, 10, or 19, which have been shown above to be patentable over Kuwazoe. Hama does not cure the deficiencies of Kuwazoe discussed above. Therefore, claims 4-9, 13-18, and 22-27 are patentable over the Kuwazoe and Hama combination, and Applicant respectfully requests the Examiner to withdraw the rejection.

RESPONSE UNDER 37 C.F.R. § 1.111
U.S. APPLN. NO. 10/03,942

DOCKET NO. Q80531
GROUP ART UNIT 2683

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

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